

SEP 06 2005

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## FAX COVER SHEET

### PLEASE DELIVER THIS FACSIMILE TO EXAMINER FIRMIN BACKER

TO: Commissioner for Patents  
Attn: Examiner Firmin Backer  
Group Art Unit 3621  
Patent Examining Corps  
Facsimile Center  
Alexandria, VA 22313

FROM: David W. Victor

OUR REF: 0018.0092  
TELEPHONE: 310-556-7983

Total pages, including cover letter: 21

PTO FAX NUMBER 1-571-273-8300

If you do NOT receive all of the pages, please telephone us at 310/556-7983, or fax us at 310/556-7984.

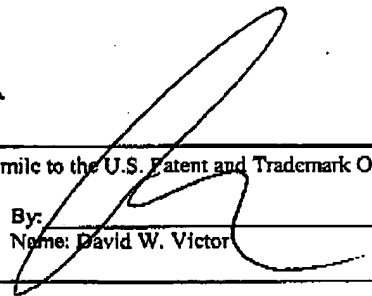
Description of Documents Transmitted: REQUEST FOR CONTINUED  
EXAMINATION TRANSMITTAL; PTO/SB/17 FEE TRANSMITTAL (+COPY);  
AMENDMENT

Applicant: G.A. Jaquette  
Serial No.: 09/977,159  
Filed: October 11, 2001  
Group Art Unit: 3621  
Docket No.: TUC920010022US1

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I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on  
September 6, 2005

By:   
Name: David W. Victor

PTO/SB/30  
0018.0092

<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>	Application Number:	09/977,159
	Filing Date:	October 11, 2001
	First Named Inventor:	G.A. Jaquette
	Group Art Unit:	3621
	Examiner Name:	Firmin Backer
	Atty Docket Number:	TUC920010022US1

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.  
**NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000.**

**1. Submission required under 37 C.F.R. § 1.114**

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on \_\_\_\_.

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_.

iii. ☐ Other \_\_\_\_.

b. ☒ Enclosed

i. ☒ Amendment/Reply, 17 pages

ii. ☒ Fee Transmittal Form

iii. ☐ Supplemental Information Disclosure - \_\_\_\_

iv. ☒ Postcard;

**2. Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_ months. (Fee of \$ \_\_\_\_ under 37 C.F.R. §1.17(i) is enclosed.)

b. ☐ Other \_\_\_\_.

**3. Fees**

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 09-0449.

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)

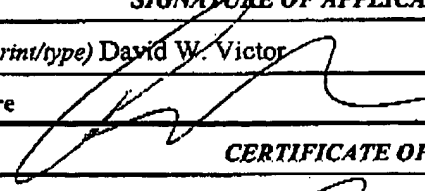
ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. ☒ Other Charge Any Deficiency.

b. ☐ Check in the amount of \$ \_\_\_\_ is enclosed.

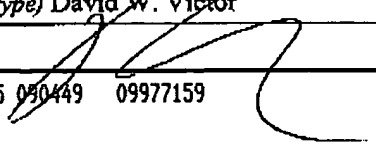
c. ☐ Payment by credit card (Form PTO-2038 enclosed) for extending One Month Extension of Time to Two Month Extension.

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED**

Name (print/type) David W. Victor	Registration No. Registration No. 39,867
Signature 	Date September 6, 2005

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being transmitted by facsimile to Firmin Backer of the U.S. Patent and Trademark Office at 571-273-8300 on September 6, 2005 on:

Name (print/type) David W. Victor	Date September 6, 2005
Signature 	

09/08/2005 DTESSEM1 00000025 090449 09977159

01 FC:1801 790.00 DA

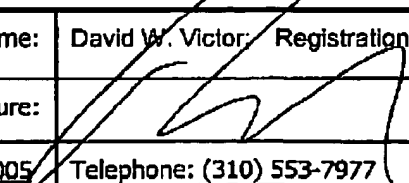
SEP 06 2005

PTO/SB/17  
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<b>FEE TRANSMITTAL</b>	Application Number	09/977,159
<b>for FY 2005</b>	Filing Date	October 11, 2001
	Inventor	G.A. Jaquette
	Group Art Unit	3621
	Examiner Name	Firmin Backer
Total Amount of Payment: \$ <b>790.00</b>	Attorney Docket Number	TUC920010022US1

<p><b>METHOD OF PAYMENT (check one)</b></p> <p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge the indicated fees and/or credit any overpayments to Deposit Account Number: 09-0449  <input type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 and 1.17  <input checked="" type="checkbox"/> Charge any deficiency or credit any overpayment</p> <p>2. <input type="checkbox"/> Payment enclosed:  <input type="checkbox"/> Ck. No. _____ for \$ _____  <input type="checkbox"/> Ck. No. _____ for \$40  <input type="checkbox"/> Credit Card Approval for _____</p> <p><b>FEE CALCULATION</b></p> <p>1. <input type="checkbox"/> BASIC FILING FEE  Utility Filing Fee:  Large Entity Fee Code 1011 \$300.00</p> <p>2. <input type="checkbox"/> UTILITY SEARCH FEE \$500.00</p> <p>3. <input type="checkbox"/> UTILITY EXAMINATION FEE \$200.00</p> <p>4. <input type="checkbox"/> EXTRA CLAIMS FEES  Total Claims ____ - 20* x \$50= \$ ____  Ind. Claims ____ - 3* x \$200= \$ ____  Multiple Dependent 0 x \$360= \$0</p> <p>Subtotal \$ ____</p> <p>*(or number previously paid for)</p>	<p><b>FEE CALCULATION (continued)</b></p> <p>3. ADDITIONAL FEES (large entity)</p> <table> <tr><td><input type="checkbox"/> Surcharge- late filing fee or oath</td><td>\$130</td></tr> <tr><td><input type="checkbox"/> Surcharge- late provisional filing fee or cover sheet</td><td>\$50</td></tr> <tr><td><input type="checkbox"/> Non-English specification</td><td>\$130</td></tr> <tr><td><input type="checkbox"/> International type search report</td><td>\$40</td></tr> <tr><td><input type="checkbox"/> Requesting publication of SIR prior to action</td><td>\$920</td></tr> <tr><td><input type="checkbox"/> Requesting publication of SIR after action</td><td>\$1840</td></tr> <tr><td><input type="checkbox"/> Extension for reply- first month</td><td>\$120</td></tr> <tr><td><input type="checkbox"/> Extension for reply- second month</td><td>\$450</td></tr> <tr><td><input type="checkbox"/> Extension for reply- third month</td><td>\$1020</td></tr> <tr><td><input type="checkbox"/> Extension for reply- fourth month</td><td>\$1590</td></tr> <tr><td><input type="checkbox"/> Extension for reply- fifth month</td><td>\$2160</td></tr> <tr><td><input type="checkbox"/> Notice of Appeal</td><td>\$500</td></tr> <tr><td><input type="checkbox"/> Brief in Support of Appeal</td><td>\$500</td></tr> <tr><td><input type="checkbox"/> Request for Oral Hearing</td><td>\$1000</td></tr> <tr><td><input type="checkbox"/> Utility Issue fee</td><td>\$1400</td></tr> <tr><td><input type="checkbox"/> Petition to revive (unavoidable)</td><td>\$500</td></tr> <tr><td><input type="checkbox"/> Petition to revive (unintentional)</td><td>\$1500</td></tr> <tr><td><input type="checkbox"/> Petitions to the Commissioner</td><td>\$130</td></tr> <tr><td><input type="checkbox"/> Petitions related to provisional applications</td><td>\$50</td></tr> <tr><td><input type="checkbox"/> Submission of Information Disclosure Statement</td><td>\$180</td></tr> <tr><td><input type="checkbox"/> Recordation of Assignment</td><td>\$40</td></tr> <tr><td><input type="checkbox"/> Submission after final (37 CFR 1.129(a))</td><td>\$790</td></tr> <tr><td><input checked="" type="checkbox"/> Request for Continued Examination (RCE)</td><td>\$790</td></tr> <tr><td><input type="checkbox"/> Other:</td><td></td></tr> </table> <p>SUBTOTAL \$ <b>790.00</b></p>	<input type="checkbox"/> Surcharge- late filing fee or oath	\$130	<input type="checkbox"/> Surcharge- late provisional filing fee or cover sheet	\$50	<input type="checkbox"/> Non-English specification	\$130	<input type="checkbox"/> International type search report	\$40	<input type="checkbox"/> Requesting publication of SIR prior to action	\$920	<input type="checkbox"/> Requesting publication of SIR after action	\$1840	<input type="checkbox"/> Extension for reply- first month	\$120	<input type="checkbox"/> Extension for reply- second month	\$450	<input type="checkbox"/> Extension for reply- third month	\$1020	<input type="checkbox"/> Extension for reply- fourth month	\$1590	<input type="checkbox"/> Extension for reply- fifth month	\$2160	<input type="checkbox"/> Notice of Appeal	\$500	<input type="checkbox"/> Brief in Support of Appeal	\$500	<input type="checkbox"/> Request for Oral Hearing	\$1000	<input type="checkbox"/> Utility Issue fee	\$1400	<input type="checkbox"/> Petition to revive (unavoidable)	\$500	<input type="checkbox"/> Petition to revive (unintentional)	\$1500	<input type="checkbox"/> Petitions to the Commissioner	\$130	<input type="checkbox"/> Petitions related to provisional applications	\$50	<input type="checkbox"/> Submission of Information Disclosure Statement	\$180	<input type="checkbox"/> Recordation of Assignment	\$40	<input type="checkbox"/> Submission after final (37 CFR 1.129(a))	\$790	<input checked="" type="checkbox"/> Request for Continued Examination (RCE)	\$790	<input type="checkbox"/> Other:	
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Submitted by:

Firm or Individual Name:	David W. Victor: Registration No. 39,867	Customer No. 46917
Signature:		
Date: September 6, 2005	Telephone: (310) 553-7977	

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	G.A. Jaquette	Examiner	3621
Serial No.	09/977,159	Group Art Unit	Firmin Backer
Filed	October 11, 2001	Docket No.	TUC920010022US1
TITLE	METHOD, SYSTEM, AND PROGRAM FOR SECURELY PROVIDING KEYS TO ENCODE AND DECODE DATA IN A STORAGE CARTRIDGE		

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being transmitted by facsimile to Firmin Backer of the U.S. Patent and Trademark Office at 571-273-8300 on September 6, 2005.

David W. Victor

AMENDMENT SUBMITTED WITH REQUEST  
FOR CONTINUED EXAMINATION (RCE)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This amendment, submitted concurrently with a Request for Continued Examination (RCE) in the above case, is submitted in response to a final office action dated June 6, 2005 (Final Office Action) and an Advisory Action dated August 8, 2005 in which the Examiner rejected all the claims as anticipated (35 U.S.C. §102) over cited art. On September 6, 2005, the attorney for Applicants and the Examiner held a phone interview to discuss the rejections. Amendments to claim 1, and corresponding system and program claims 18 and 27, were discussed. The Examiner indicated that the discussed amendments to claims 1, 18, and 27 would likely distinguish these claims over the cited art. Applicants amended these claims as discussed. Amendments to independent claims 10, 23, and 36 were also discussed. No agreement was reached as to the patentability of these claims. Applicants amend the claims as discussed. Applicants also submit certain of the amendments from the Response to Final dated July 29, 2005. Applicants submit that all pending claims 1-43 are patentable over the cited art and in condition for allowance for the reasons discussed herein.

Amendments to the Claims are reflected in the listing of claims which begins on page 2.  
Remarks/Arguments begin on page 12.